

**MINUTES OF HOUSE EDUCATION
STANDING COMMITTEE**

February 2, 2004
Room 129, State Capitol Building

MEMBERS PRESENT: Rep. Margaret Dayton, Chair
 Rep. Merlynn T. Newbold, Vice Chair
 Rep. LaVar Christensen
 Rep. John Dougall
 Rep. James A. Ferrin
 Rep. James R. Gowans
 Rep. Ann W. Hardy
 Rep. Kory M. Holdaway
 Rep. David L. Hogue
 Rep. Gregory H. Hughes
 Rep. Bradley T. Johnson
 Rep. Brad King
 Rep. Carol Spackman Moss
 Rep. Loraine T. Pace
 Rep. LaWanna Shurtliff

STAFF PRESENT: Constance C. Steffen, Policy Analyst
 Cindy Baker, Committee Secretary

Note: List of visitors and copy of handouts are filed with committee minutes.

Chair Dayton called the meeting to order at 8:00 a.m. and welcomed committee members.
Rep. Moss was called on to give a one minute lesson on language.

MOTION: Rep. King moved to approve the minutes of January 29, 2004. The motion passed unanimously with Rep. Christensen, Rep. Ferrin, Rep. Hogue, Rep. Johnson, and Rep. Shurtliff absent for the vote.

H.B. 98 Eligibility for Interscholastic Athletics (*Rep. A. Hardy*)

Rep. Hardy introduced HB. 98 which provides residency eligibility requirements for participation in high school interscholastic athletic activities.

Rep. Hardy was assisted by the following:
Dr. Paul R. Waite, Director of Secondary Schools, Davis School District
Todd Cusick, Member of a Parent Group for H.B. 98
Dan McDonald, Attorney

MOTION: Rep. Dougall moved to amend the bill as follows:

1. *Page 1, Lines 15 through 16:*

- 15 a high school outside of school boundaries; ~~[[and]]~~
- 16 ▶ provides exceptions for specified circumstances or exceptional
circumstances ~~[[or]]~~ ; and
- = ▶ prohibits student recruiting for participation in interscholastic
athletic activities.

2. *Page 2, Line 58 through Page 3, Line 59:*

- 58 (2) The policies under Subsection (1) shall provide, beginning with a
student who attends high school for the first time after ~~[[on]]~~ January 1,
2005, that
- 59 a student who attends a high school outside of that student's school boundaries
shall lose

3. *Page 3, Lines 66 through 67:*

- 66 districts; ~~[[or]]~~ =
- (e) results from enrollment and continued attendance in an accelerated
learning program that:
- (i) is not available at the student's school;
- (ii) requires the student to attend all of the student's classes at the school
outside of the student's high school boundary; and
- (iii) may not be available by only taking some classes at the school outside
of the student's high school boundary; or
- 67 ~~[[e-]]~~ (f) is granted an exception, based upon exceptional
circumstances and undue hardship.

4. *Page 3, Line 73:*

- 73 school boundary.
- (4) The policies under Subsection (1) shall prohibit the recruiting of
students to transfer to or attend a school for the purpose of participation in

interscholastic athletic activities in a school outside of that student's high school boundaries.

The motion passed unanimously with Rep. Christensen, Rep. Ferrin, Rep. Hogue, Rep. Johnson, and Rep. Shurtliff absent for the vote.

Chair Dayton opened the discussion to the audience. The following spoke in favor of the bill:

Ray Brisco, Parent

Diane Pope, PTA

Mary Lyne Jones, PTA

Katie Holmes, Student

Jenny Hansen, Student

Ken Bullock, Parent

The following spoke to the bill:

Ray Timothy, Superintendent

Jerry Bovee, UHSAA

MOTION: Rep. Newbold moved to continue discussion of H.B.98 at a later date. The motion passed with Rep. Pace, Rep. King, Rep. Hardy, and Rep. Gowan voting in opposition. Rep. Christensen was absent for the vote.

MOTION: Rep. Hogue moved to adjourn the meeting. The motion passed unanimously with Rep. Christensen absent for the vote.

Chair Dayton adjourned the meeting at 10:00 a.m.

Rep. Margaret Dayton, Chair